



## **PUBLIC HEALTH ORDER 20-26 FACE COVERINGS FOR CRITICAL BUSINESSES**

### **PURPOSE OF THE ORDER**

I issue this Public Health Order (PHO or Order) pursuant to the Governor's directive in **Executive Order D 2020 0139 Ordering Workers in Critical Businesses and Critical Government Functions to Wear Non-Medical Face Coverings** in response to the existence of thousands of confirmed and presumptive cases of Coronavirus disease 2019 (COVID-19) and related deaths across the State of Colorado. Further, as there is substantial evidence of community spread of COVID-19 throughout the State, it is crucial to take measures now that can mitigate further spread of disease in our communities.

### **FINDINGS**

1. Governor Polis issued Executive Order D 2020 003 on March 11, 2020, declaring a disaster emergency in Colorado due to the presence of COVID-19. Since that time, the Governor has taken numerous steps to implement measures to mitigate the spread of disease within Colorado, and has further required that several public health orders be issued to implement his orders.
2. I have issued public health orders pertaining to the limitation of visitors and nonessential individuals in skilled nursing facilities, intermediate care facilities, and assisted living residences; closing bars and restaurants to in-person services; and defining the terms of the Governor's stay at home requirements and critical business designations. These measures all act in concert to reduce the exposure of individuals to disease, and are necessary steps to protect the health and welfare of the public. Additionally, in reducing the spread of disease, these requirements help to preserve the medical resources needed for those in our communities who fall ill and require medical treatment, thus protecting both the ill patients and the healthcare workers who courageously continue to treat patients.
3. PHO 20-24 lists numerous critical businesses and government functions that must continue during our response to this pandemic. As many employees of Critical Businesses and Critical Government Functions serve in public-facing roles, in doing these jobs, they are risking that they may become ill through contact with others, and also that if they are ill and they may not know it, they may infect others. To protect against further spread of disease, Governor Polis has ordered that all workers in Critical Businesses and Critical Government Functions where workers interact in close proximity with other employees or with the public wear medical or

non-medical cloth face coverings that cover the nose and mouth while working, except where doing so would inhibit that individual's health, and also, to the extent possible, wear gloves when in contact with customers or goods if gloves are provided to workers by their employer.

## ORDER

**I. Face Coverings.** All employees of Critical Businesses or performing Critical Government Functions who work in close proximity to other employees or with the public shall wear a medical or non-medical face covering to help prevent the spread of disease. Employers who operate Critical Businesses or manage Critical Government Functions should make every effort to provide their workforce with medical or non-medical face coverings. Unless working in a healthcare setting, employers should provide non-medical face coverings for their employees. Employers shall make every effort to assign employees who cannot wear face coverings for health or safety reasons to perform work that does not bring the worker into close proximity with other employees or the public.

A. Workers who may routinely or consistently come within 6 feet of other workers or the public are considered to be in close proximity to others and must wear a medical or non-medical face covering that covers the worker's nose and mouth, unless doing so would inhibit the individual's health. Workers with health issues that preclude them from wearing a face covering must document those concerns with their employer.

B. A worker may use a face covering provided by their employer, if available, or may choose to use their own face covering. Cloth face coverings should fit snugly but comfortably against the side of the face, include multiple layers of fabric, allow for breathing without restriction, and be able to be laundered and machine dried without damage or change to shape. Face coverings need to cover the nose and mouth at all times and should remain in place until taken off safely. If a worker's face covering moves during work, it needs to be replaced with one that does not need to be frequently adjusted to reduce touching of the face. Workers should replace face coverings when theirs becomes dirty, wet, and/or difficult to breathe through.

C. Workers who prepare or handle food that will be made available to the public for purchase, such as restaurant or grocery store workers, must wear a face covering while performing tasks involving food preparation and handling.

D. As directed in **Executive Order D 2020 039**, workers in the congregate care settings identified in **Amended Public Health Order 20-20**, and all third parties entering congregate care settings must wear face coverings in the workplace.

**II. Gloves.** All employees of Critical Businesses or performing Critical Government Functions who come into contact with customers or goods should wear gloves, if gloves are provided by their employer. Employees in food and child care industries shall minimally utilize disposable gloves as normally required by their governing regulations. Employees that are

directly involved with disinfecting equipment and surfaces within critical business and/or have direct contact with customers shall wear gloves when involved in these activities.

**III. Enforcement.** This order will be enforced by any appropriate legal means. Local authorities are encouraged to determine the best course of action to encourage maximum compliance. Failure to comply with this order could result in penalties including a fine of up to one thousand (1,000) dollars and imprisonment in the county jail for up to one year, pursuant to 25-1-114, C.R.S.

**IV. Severability.** If any provision of this PHO to the application thereof to any person or circumstance is held to be invalid, the remainder of the PHO, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this PHO are severable.

**VII. Duration.** This PHO shall become effective at 6:00 a.m. on Thursday April 23, 2020 and will continue to be in effect until 11:59 p.m. on May 17, 2020, unless extended, rescinded, superseded, or amended in writing.



Jill Hunsaker Ryan, MPH  
Executive Director

April 22, 2020